

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

ARTHUR STEWART NICKENS

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:13-cv-199-MPM-JMV

MILTON WILLIAMS, JR., ET AL.

DEFENDANTS

ORDER TERMINATING MOTION TO DISMISS AS MOOT

This matter is before the court on motion of Defendant Barringer Chevrolet to dismiss the original pro se complaint against it [13]. The Plaintiff, Arthur Nickens, filed his Amended Complaint [24] on December 13, 2013. Because Barringer Chevrolet's Motion to Dismiss addresses the original complaint and not the Plaintiff's Amended Complaint, it must be terminated as moot. Barringer Chevrolet may re-urge a motion to dismiss as applicable to the amended complaint.

IT IS, THEREFORE, ORDERED that Defendant Barringer Chevrolet's Motion to Dismiss is terminated as moot.

SO ORDERED, this the 2nd day of January, 2014.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE